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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,067	09/26/2006	Fredrik Andersson	P71458USD	8878
136 7590 01/05/2010 JACOBSON HOLMAN PLLC 400 SEVENTH STREET N.W. SUITE 600 WASHINGTON, DC 20004			EXAMINER MILLER, SAMANTHA A	
			ART UNIT 3749	PAPER NUMBER
			MAIL DATE 01/05/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/594,067

Applicant(s)

ANDERSSON, FREDRIK

Examiner

SAMANTHA A. MILLER

Art Unit

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Receipt of applicant's amendment filed on 7/28/2009 is acknowledged.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over GEBKE (2003/0022617) in view of OHZEKI (5,639,367).

GEBKE teaches:

1. A supply air terminal device for a ventilation duct network, comprising a flexible bag of filter material (24), said bag having a neck (24b) that is releasably mounted on an outlet end (50) of a first pipe socket (conical element from 28 to 24a and 24a) which forms an outlet end portion of a supply air pipe (10) that is part of the ventilation duct network and which opens into a is to be supplied with air (at 36),
2. The pipe socket includes a pipe element (conical end connecting 28 to 24, Fig.3), which at a first end thereof is provided with the pocket (at conical element and 24a) and which at a second end thereof is connected to an outlet end (28) of the supply air pipe (26, 28).
3. A second pipe socket (40) generally concentrically connected to the first pipe socket (24a) and outlet end of said second pipe socket having a ring-shaped pocket

(between 54 and 56) on an inside thereof, said ring-shaped pocket of a diameter deviating from the pocket of the first pipe socket and that is open in the upstream direction, said ring-shaped pocket receiving a flanged edge (56) part of an additional bag (22)

4. A pipe section that at an upstream end thereof carries sealing members (50, 48) and is closely connected via the sealing members to the first pipe socket (24a) around the circumference thereof, the second pipe socket at the downstream end thereof having the pocket for the flanged edge (56) part of the additional bag.

5. A second pipe socket generally concentrically connected to the first pipe socket (Fig.5).

GEBKE teaches the invention as discussed above, however GEBKE does not teach an edge part flange, a resiliently elastic element, or a second pipe socket has greater diameter than the first pipe socket

OHZEKI teaches:

1. The neck (top) of the bag (30B) has an edge part flanged (connecting to 34) against the outside thereof, said edge part extending at an angle of about 180° with respect to the neck so as to encircle an upper end of said neck (Fig.7), said edge part being stabilized by a resiliently element (col.3 1.56-col.4 1.6) of substantially circular pipe shape, said edge part (connecting to 34) being stabilized by a resiliently elastic element (col.3 1.56-col.4 1.6) of substantially circular pipe shape, said edge part with said elastic element being received in a correspondingly shaped tubular pocket (Fig.7 at

34), which is arranged on an inner portion of the pipe socket (34) at the outlet end thereof and which is open in the upstream direction (Fig.7).

3. Being stabilized by a second resiliently elastic (col.3 ll.56-col.4 l.6) substantially circular tubular element which is received in the pocket (between the frame and 34 of the external frame 21, Fig.6) of the second pipe socket.

4. the second pipe socket (frame of 21) has greater diameter than the first pipe socket (34).

5. The outlet end of said second pipe socket having a ring-shaped pocket on an inside thereof, said ring-shaped pocket of a diameter deviating from the pocket of the first pipe socket and that is open in the upstream direction, said ring-shaped pocket receiving a flanged edge part (of 30A) of an additional bag (Fig.7) fitting thereto said flanged edge part of the additional bag being stabilized by a resiliently elastic (col.3 ll.56-col.4 l.6), substantially circular tubular element, which is received in the pocket of the second pipe socket

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the air supply device of GEBKE in view of the elastic of OHZEKI in order to have a tight air seal around the first and second pipe socket.

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the air supply device of GEBKE in view of the second pipe socket being larger than the first pipe socket of OHZEKI in order to slow the speed of the supply air decreasing the noise.

Regarding claims 6-7, refer to the rejection of claims 1-5.

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR '1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samantha A. Miller whose telephone number is 571-272 9967. The examiner can normally be reached on Monday - Thursday 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve McAllister can be reached on 571-272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samantha Miller
Examiner
Art Unit 3749
12/5/2009

/Steven B. McAllister/

Supervisory Patent Examiner, Art Unit 3749